

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-273-C - ORDER NO. 2008-553
AUGUST 6, 2008

| | | |
|------------------------|---|--------------------|
| IN RE: FLATEL, Inc., |) | ORDER OF DISMISSAL |
| Complainant/Petitioner |) | |
| |) | |
| vs. |) | |
| |) | |
| Verizon South, Inc., |) | |
| Defendant/Respondent |) | |

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the above referenced complaint of FLATEL, Inc. (“FLATEL”) against Verizon South, Inc. (“Verizon”). The complaint is in the form of a letter signed by Mr. Abby Matari, the Chief Executive Officer of FLATEL. Verizon has moved to dismiss the complaint on several grounds, among them that Mr. Matari is not an attorney licensed to practice law in South Carolina, and is therefore not permitted to represent FLATEL before the Commission.

This complaint apparently involves the same underlying dispute complained of by Mr. Matari on behalf of FLATEL in September 2007. We accepted Mr. Matari’s previous letter for filing as Docket No. 2007-326-C. In the 2007 docket, Verizon moved to dismiss. We appointed a hearing officer, who held Verizon’s motion to dismiss in abeyance and allowed FLATEL ample time to retain South Carolina counsel to respond to Verizon’s motion. FLATEL neither retained an attorney nor filed any response to Verizon’s motion to dismiss. Having received no filing opposing Verizon’s motion to

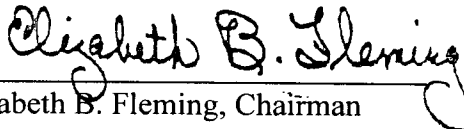
dismiss for 50 days after the issuance of the Hearing Officer Directive in the matter, the Commission granted Verizon's motion to dismiss on March 12, 2008.

Now, based upon the same dispute as the previous one which it failed to prosecute, FLATEL has filed another complaint, and it again has failed to retain counsel. The South Carolina Supreme Court requires corporate entities to be represented by lawyers licensed to practice in South Carolina in legal proceedings before this Commission. We have previously instructed FLATEL to retain South Carolina-licensed counsel to appear before us on its behalf, and FLATEL has failed to do so in spite of our having given it ample opportunity to do so.

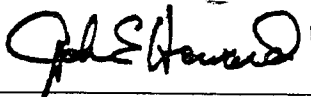
Accordingly, we dismiss FLATEL's complaint at this time, without prejudice. If FLATEL wishes to seek relief before us, its filings must be prepared and filed by an attorney authorized to appear before the Commission.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)